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6 **IN THE UNITED STATES DISTRICT COURT**

7 **FOR THE DISTRICT OF ARIZONA**

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9 Mohamed Alenizi,   )   No. CV- 11-183-TUC-JGZ-DTF
)
10   Plaintiff,   )   **ORDER**
)
11 vs.   )
)
12   )
    Michael J. Astrue, Commissioner of Social)
13 Security Administration,   )
)
14   Defendant.   )
    _____)

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16   Pending before the Court is a Report and Recommendation issued by United States

17 Magistrate Judge D. Thomas Ferraro. (Doc. 23.)   The Report and Recommendation

18 recommends that the Court remand this matter to the Administrative Law Judge (ALJ)

19 because the ALJ's decision is not supported by substantial evidence in the record and free

20 of legal error.

21   The Court reviews *de novo* the objected to portions of the Report and

22 Recommendation. 28 U.S.C. §636(b)(1); FED.R.CIV.P. 72(b). The Court reviews for clear

23 error the unobjected-to portions of the Report and Recommendation. *Johnson v. Zema*

24 *Systems Corp.*, 170 F.3d 734, 739 (7th Cir. 1999); *see also Conley v. Crabtree*, 14 F.Supp.2d

25 1203, 1204 (D.Or. 1998).

26   A review of the record reflects that the parties have not filed any objections to the

27 Report and Recommendation and the time to file objections has expired. As such, the Court

28 will not consider any objections or new evidence.

1   The Court has reviewed the record and concludes that Magistrate Judge Ferraro's

2 recommendations are not clearly erroneous. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72;

3 *Johnson*, 170 F.3d at 739; *Conley*, 14 F. Supp. 2d at 1204.

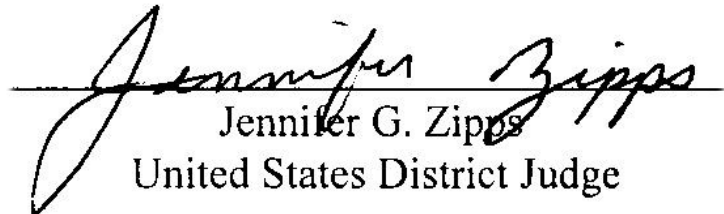4   Accordingly, IT IS HEREBY ORDERED as follows:

5   (1)   Magistrate Judge Ferraro's Report and Recommendation (Doc. 23) is

6 ACCEPTED and ADOPTED.

7   (2) This case is REMANDED to the Commissioner with instruction as outlined in the

8 Remedy section of the Report and Recommendation. *See* Report and Recommendation 10-

9 11.

10   (3) The Clerk of the Court shall enter judgment accordingly and close this case.

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12   Dated this 2nd day of April, 2012.

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17   Jennifer G. Zipps
    United States District Judge

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